

For the foregoing reasons and those set forth in the accompanying Memorandum of Law, which is incorporated herein by reference, defendants respectfully request that the Court enter an order prohibiting the depositions of Mr. Brito and Mr. Busch at this time and grant any other relief deemed just and proper.

Dated: February 27, 2009

Respectfully submitted,

/s/ James F. Bennett

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon all counsel of record via the Court's electronic filing system on this 27th day of February, 2009.

/s/ James F. Bennett